

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA**

PRESIDENT DONALD J. TRUMP, 45th President
of the United States of America, in his individual
capacity,

Plaintiff,

v.

SIMON & SCHUSTER, INC., a New York
corporation, ROBERT WOODWARD p.k.a. BOB
WOODWARD, an individual, and PARAMOUNT
GLOBAL, a Delaware corporation, f/k/a Viacom
Inc., successor by merger to CBS Corporation, a
Pennsylvania corporation f/k/a Westinghouse
Electric Corporation,

Defendants.

3:23-cv-02333-RV-ZCB

**UNOPPOSED MOTION FOR LEAVE TO FILE EXHIBITS IN PAPER
AND COMPACT DISK FORMATS**

Defendants Robert Woodward, Simon & Schuster, Inc. and Paramount Global (collectively, “Defendants”) respectfully submit this unopposed motion seeking leave to file exhibits attached to their forthcoming Rule 12(b)(6) Motion to Dismiss in paper and compact disk formats. Under Local Rule 5.4, “[u]nless the Court orders otherwise, every document submitted for filing must be submitted through the electronic filing system, not in hard copies...” For the following reasons, there is

good cause to permit Defendants leave to file a limited number of exhibits to their forthcoming dismissal motion in hard copy and compact disk formats.

In this copyright lawsuit, the Complaint alleges that Defendants unlawfully published a book by Woodward entitled *The Trump Tapes: The Historical Record* (the “Work”). Defendants intend to file copies of the Work as exhibits to their Rule 12(b)(6) Motion to Dismiss, as is customary in copyright cases and other actions where the complaint alleges that a specifically-identified publication caused actionable harm. Here, the Work was published in two relevant formats – an audiobook that includes audio from tape-recorded interviews Woodward conducted with President Trump and a print edition that transcribes the audiobook edition. Because it is not possible to file an audiobook on the electronic filing system, Defendants respectfully seek leave to submit compact disks containing the audiobook edition of the Work directly to Chambers via personal delivery or Federal Express.¹

Defendants also intend to submit paperback editions of the Work to Chambers, together with a compact disk containing a pdf file of the text edition. While it is technically possible for Defendants to file a text version of the Work on the electronic filing system, Defendants submit that doing so would require the

¹ Defendants will, of course, simultaneously serve counsel for President Trump with identical copies of the exhibits submitted to Chambers.

posting of the entire Work, without encryption or other security measures, on a publicly available website – which would threaten the value of Defendants’ intellectual property. Accordingly, Defendants respectfully request leave to submit the text edition of the Work directly to Chambers in the formats described above or any other practicable medium suggested by the Court.

On March 30, 2023, pursuant to Local Rule 7.1(B), counsel for Defendants contacted counsel for President Trump to inform him of their intent to file a motion seeking leave to file copies of the Work on compact disks and in paperback form. On that same day, counsel for Defendants responded that he would not oppose this motion.

For the reasons set forth above, Defendants respectfully submit this unopposed motion seeking an order granting their request to file, as exhibits to their forthcoming Rule 12(b)(6) Motion to Dismiss, copies of the Work on compact disks and in paperback form, together with any other relief the Court deems appropriate.

Dated: March 31, 2023

GUNSTER, YOAKLEY & STEWART, P.A.

/s/ Kenneth B. Bell

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Simon & Schuster, Inc. and
Paramount Global*

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ *Kenneth B. Bell*

Attorney